

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

-----

UNITED STATES OF AMERICA	)	<b>05 CR 10131 JLT</b> CRIMINAL NO.
	)	
v.	)	Violation:
	)	
ANGELO MARTIGNETTI, JR.	)	18 U.S.C. § 656
	)	(Embezzlement by Bank Employee)
	)	

-----

INDICTMENT

INTRODUCTION

The Grand Jury charges that:

1. At all times material to this Indictment, ANGELO MARTIGNETTI, JR., ("Martignetti") was an individual who resided in Beverly, Massachusetts.

2. At all times material to this Indictment, Martignetti worked at Eastern Bank in Lynn, Massachusetts. He was hired as a teller in 1998. In February 2001, he transferred to the Human Resources Department, where his responsibilities included tasks associated with payroll. Throughout the relevant portions of his employment, Martignetti maintained a personal checking account at Eastern Bank.

3. At all times relevant to this Indictment, Eastern Bank was an insured bank, whose deposits were insured by the Federal Deposit Insurance Corporation ("FDIC").

4. Beginning on a date unknown to the Grand Jury, but no later than June 12, 2002 and continuing through on or about March

23, 2005, Martignetti made approximately 168 manual entries debiting Eastern Bank's payroll expense and other accounts and then deposited the offsetting credit to his own personal checking account.

5. From in or about June 2002 through in or about March 2005, in the District of Massachusetts, Martignetti, a bank employee, made approximately 168 unauthorized deposits to his personal checking account and thereby embezzled approximately \$263,678.69 from Eastern Bank.

COUNTS ONE THROUGH TWENTY

(Embezzlement by a Bank Employee - 18 U.S.C. § 656)

The Grand Jury further Charges That:

6. Paragraphs 1 through 5 are realleged and incorporated by reference as though fully set forth herein.

7. On or about approximately the dates set forth below, in the District of Massachusetts,

ANGELO MARTIGNETTI, JR.

defendant herein, being an employee of Eastern Bank, an insured bank, knowingly and intentionally embezzled, purloined and willfully misapplied moneys and funds of such bank and moneys and funds intrusted to the custody and care of such bank, including in the amounts set forth below:

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
1	8/23/02	\$1,188.61
2	9/4/02	\$1,577.22
3	11/21/02	\$1,373.07
4	2/19/03	\$1,770.26
5	7/3/03	\$1,680.42
6	11/4/03	\$1,680.78
7	1/29/04	\$1,680.75
8	1/30/04	\$1,497.25
9	3/22/04	\$1,612.04
10	6/23/04	\$1,884.21
11	7/28/04	\$1,672.24

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
12	9/29/04	\$1,860.25
13	12/22/04	\$1,786.24
14	1/20/05	\$1,865.21
15	3/3/05	\$1,849.82
16	3/8/05	\$1,860.09
17	3/11/05	\$1,896.52
18	3/15/05	\$1,774.62
19	3/17/05	\$1,868.21
20	3/23/05	\$1,862.46

All in violation of Title 18, United States Code, Section

656.

FORFEITURE ALLEGATIONS

(18 U.S.C. § 981 and 28 U.S.C. § 2461(c))

1. As a result of the offenses in violation of 18 U.S.C. § 656 charged in Counts One through Twenty of this Indictment, the defendant,

ANGELO MARTIGNETTI, JR.

shall forfeit all property, real and personal, that constitutes, or is derived from, proceeds traceable to the commission of the offense, including but not limited to \$263,678.69 in U.S. currency.

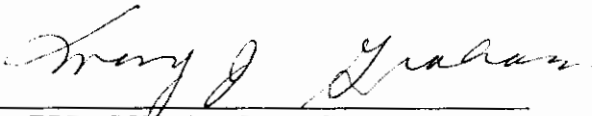
2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:


- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461(c).

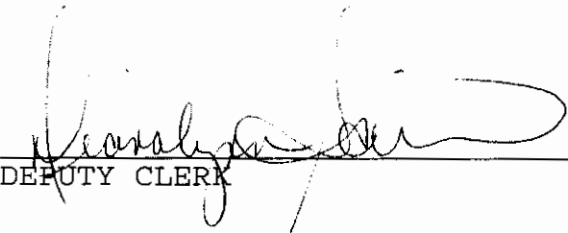
A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

  
Allison D. Burroughs  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS; May 26, 2005 @ 11:00 AM-

Returned into the District Court by the Grand Jurors and  
filed.

  
DEPUTY CLERK

## Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Massachusetts Category No. 11 Investigating Agency FBICity Lynn Related Case Information:County Essex Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New \_\_\_\_\_  
Magistrate Judge Case Number 05-824-MBB  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

## Defendant Information:

Defendant Name Angelo Martignetti, Jr. Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 38R Enon Street, Apt. 218, Beverly, MA 01915Birth date (Year only): 77 SSN (last 4 #): 8072 Sex M Race: \_\_\_\_\_ Nationality: \_\_\_\_\_Defense Counsel if known: Paul F. Markham Address: P.O. Box 1011  
Melrose, MA 02176

Bar Number: \_\_\_\_\_

## U.S. Attorney Information:

AUSA Allison D. Burroughs Bar Number if applicable \_\_\_\_\_Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☒ Regular Process☐ In CustodyLocation Status: Spectrum (condition of release)Arrest Date: 5/6/05☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by Magistrate Judge Bowler on 5/9/05Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 20

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 5/26/05 Signature of AUSA: Allison D. Burroughs

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk):

Name of Defendant Angelo Martignetti, Jr.

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 USC §656</u>	<u>Embezzlement by a bank employee</u>	<u>1-20</u>
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: